

Applicant : Daniel R. Kiselik
Serial No. : 09/765,511
Response to Office Action of June 3, 2005

Date: 12/5/05
Art Unit: 3626

REMARKS/ARGUMENTS

Favorable reconsideration is respectfully requested in view of the above amendments and the following discussion.

The present invention provides a computer system and a method of operating a computer system for the automatic selection of parties to an arrangement between a requestor and a satisfier, each of which parties has specific requirements which must be met by the other party so as to arrive at a mutually-determined arrangement with increased accuracy and minimal time. In short, the present invention quickly arrives at an arrangement which takes into account all requirements of both parties and satisfies all requirements of both parties to complete a mutually-satisfactory transaction, all automatically.

All of the claims have been amended in order to point out with a greater degree of specificity the operations which enable a very rapid automatic determination of a mutually-satisfactory arrangement attained by the present invention between a requestor and a satisfier. The prior art is devoid of any suggestion of a computer system or a method of operating a computer system in which mutual requirements of the parties are taken into account to arrive automatically at a rapidly-determined, mutually-satisfactory arrangement between the parties. Thus, for example, claims 1 and

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8 set forth a method and a system in which there is established a selected group of system-qualified satisfiers able to meet the schedule of requirements established by a system-qualified requestor, and then the requesting criteria of each satisfier of the selected group is utilized to establish a sub-group of satisfiers willing to enter into an arrangement with the particular requestor. The field of potential satisfiers thus is narrowed by examining the requirements of satisfiers in a requestor to identify only those satisfiers who would be willing to enter into an arrangement with the requestor, and placing such satisfiers in a mutually-determined sub-group, thereby more quickly and accurately arriving at a mutually-satisfactory arrangement, automatically.

Claims 1 and 8 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Fraser in view of Gindlesperger. Fraser discloses a computer system constructed for matching buyers and sellers of property, such as real estate. The system essentially is a matching system, that is, a potential buyer is provided with a list of available properties based upon requirements set forth by the buyer. As recognized by the Examiner, the system of Fraser merely matches potential buyers with properties which meet the requirements of the buyer. There is no information in the system pertaining to a seller which is utilized to assure that a mutually

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satisfactory arrangement is arrived at automatically within the system itself. In fact, the seller is not even system-qualified, so the system clearly is one-sided and cannot in and of itself automatically arrive at a mutually-satisfactory arrangement. The patent to Gindlesberger discloses apparatus and method which are driven primarily by a potential buyer. Here again, the system of Gindlesberger merely matches a potential buyer with a lowest bidding seller. There is no comparison of information pertaining to both the buyer and the seller in order to establish a sub-group of sellers willing to enter into an arrangement with a particular buyer. In short, in Gindlesberger there is no mutuality in matching buyers and sellers. In contradistinction, the computer system and method of the present invention compare requirements of both a system-qualified requestor and a system-qualified satisfier to reduce the number of potentially compatible combinations of requestor and satisfier to a mutually-determined sub-group from which a mutually satisfactory arrangement can be attained in a more accurate, more rapid fashion, automatically.

The proposed combination of Gindlesberger with Fraser is untenable in rendering obvious the subject matter of the present claims. The system of Fraser merely searches listed available property for a match with a buyer's requirements pertaining to the

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property, and does not take into consideration any requirements of the buyer pertaining to the seller. The system is specific as to the identification of the property and suggests no mutuality between the buyer and the seller in determining whether or not a mutually satisfactory arrangement can be reached between a particular buyer and a particular seller. In Gindlesberger, a buyer requests specific goods or services and the system makes a choice of vendor automatically without utilizing information pertaining to the buyer in order to identify a vendor willing to enter into a transaction with the buyer. The system is buyer driven, and is not based upon mutuality. There is no suggestion of paring down the number of potential vendors to a sub-group of only those vendors willing to enter into an arrangement with a particular buyer. Hence, the system does not process information in a manner designed to quickly identify a smaller group of parties capable of entering into a mutually satisfactory arrangement and thereby determine compatible parties in an accelerated process. The references are diverse in their teachings and nothing is suggested within the references themselves which could lead one to combine the references, let alone combine the references in such a way as to render obvious the subject matter of the present claims.

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Accordingly, it is respectfully requested that the rejection based upon Fraser taken in view of Gindlesberger be withdrawn.

Claims 2-3, and 9-14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Fraser in view of Gindlesberger, as applied to claim 1, and further in view of The Feedback Forum.

The shortcomings of the proposed combination of Gindlesberger with Fraser are fully set forth above and are repeated here. The Feedback Forum does not alleviate those shortcomings. While the disclosure in The Feedback Forum may indicate that it is known to provide ratings of parties in an Internet based scheme of selling goods and services, there is no disclosure in the reference which could render obvious the particular combination of elements set forth in the present claims. Thus, although the reference suggests that a potential party can view ratings posted concerning other parties, and make a determination based upon such a viewing, the reference does not disclose or teach a system in which ratings are so integrated with requestor and satisfier requirements as to enable automatic arrival at a mutually-satisfactory arrangement between particular requestors and satisfiers. Here again, merely adding together certain features gleaned from diverse references, the selection of such features being based upon applicant's disclosure and without a suggestion in the references themselves,

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is not sufficient to render obvious the subject matter of these claims. Accordingly, the rejection cannot be sustained.

Claims 4-7 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Fraser in view of Gindlesberger, and further in view of Breitfeld. The shortcomings of the proposed combination of Gindlesberger with Fraser are set forth above and are repeated here. While the Examiner has not enumerated the teachings of Breitfeld relied upon to render obvious the subject matter of the present claims, it is clear that Breitfeld does not cure the deficiencies of the proposed combination of Gindlesberger with Fraser, as set forth above. Accordingly, the proposed addition of Breitfeld to Fraser and Gindlesberger is untenable in rendering obvious the subject matter of these claims and the rejection based upon that proposed combination must be withdrawn.

The remaining prior art made of record has been reviewed carefully and has been found to add nothing by way of anticipation or rendering obvious the subject matter of the claims of the present application. On the contrary, the numerous cited patents merely demonstrate the fact that there do exist many patentable variations in systems for the selection of participants in an arrangement, with none disclosing a combination of elements which provides all of the advantages of the present invention.

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It is respectfully submitted that the claims of the present application set forth subject matter which is neither anticipated nor rendered obvious by the prior art, and it is respectfully requested that the claims be allowed and the application be passed to issue.

Respectfully submitted,

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